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CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
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18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE DISTRICT OF ARIZONA

20 United States of America,

21 No. CR-22-8133-PCT-SPL (MHB)

22 Plaintiff,

23 **R E D A C T E D**
24 **I N D I C T M E N T**

25 vs.
26 James Thomas Andrew McCarty,

27 Defendant.

28 VIO: 18 U.S.C. § 844(e)
(Making a False Statement)
Counts 1 - 9
18 U.S.C. § 1038(a)(1)(A)
(False Information and Hoax)
Counts 10 - 18
18 U.S.C. §§ 2261A(2)(B) and
2262(b)
(Stalking)
Count 19
18 U.S.C. § 1028A(a)(1)
(Aggravated Identity Theft)
Counts 20 - 26

29 **THE GRAND JURY CHARGES:**

30 **COUNTS 1 - 9**

31 On or about the dates below, in the District of Arizona, and elsewhere, Defendant
32 JAMES THOMAS ANDREW McCARTY, through the use of the mail, telephone,

1 telegraph, and other instrument of interstate and foreign commerce, willfully made a threat
2 and maliciously conveyed false information knowing the same to be false concerning an
3 attempt and alleged attempt being made and to be made, to kill, injure, and to intimidate
4 and unlawfully to damage and destroy a building, vehicle and other real or personal
5 property, by means of fire and an explosive, in and affecting interstate and foreign
6 commerce, to wit:

Count	Date	Location Call Made From	Location Call Made To	Contents of Call
1	1/17/2021	Kayenta, Arizona	Police Department in Gwinnett County, Georgia	Pipe bombs
2	1/24/2021	Kayenta, Arizona	Police Department in South Plainfield, New Jersey	Pipe bombs
3	1/25/2021	Kayenta, Arizona	School in Westfield, Indiana	Will start shooting at school; Propane bottles
4	1/25/2021	Kayenta, Arizona	School in Vinita, Oklahoma	Will start shooting at school; Propane tanks
5	4/16/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Will blow up his trailer; bombs planted in driveway; will kill kids and police.
6	4/21/2021	Kayenta, Arizona	Police Department in Cumming, Georgia	Pipe bomb; Shoot at police
7	5/10/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Pipe bomb; detonate them and kill police.
8	5/20/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Bombs outside of a retail location.
9	6/15/2021	Kayenta, Arizona	Police Department in Cumming, Georgia	Pipe bombs; Shoot at police

25 In violation of Title 18, United States Code, Section 844(e).

26 **COUNTS 10 - 18**

27 On or about the dates below, in the District of Arizona, and elsewhere, Defendant
28 JAMES THOMAS ANDREW McCARTY did intentionally convey false and misleading

1 information described below, under circumstances where such information may reasonably
2 have been believed, that indicated that an activity had taken, was taking, and would take
3 place that would constitute a violation of 18 U.S.C. § 844(e), to wit:

Count	Date	Location Call Made From	Location Call Made To	Contents of Call
10	1/17/2021	Kayenta, Arizona	Police Department in Gwinnett County, Georgia	Caller had killed one person and harmed another person in home; pipe bombs would be used.
11	1/24/2021	Kayenta, Arizona	Police Department in South Plainfield, New Jersey	Caller had killed one person and harming another person in home; caller may blow up house and harm himself.
12	1/25/2021	Kayenta, Arizona	School in Westfield, Indiana	Caller was at his high school about to start shooting with guns; caller would shoot at propane bottles.
13	1/25/2021	Kayenta, Arizona	School in Vinita, Oklahoma	Caller was at his high school about to shoot with guns; caller had propane tanks.
14	4/16/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller had bombs planted and would blow up trailer, shoot water tank, kill kids and responding police.
15	4/21/2021	Kayenta, Arizona	Police Department in Cumming, Georgia	Caller had shot person in home and if police came, caller had a pipe bomb.
16	5/10/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller put pipe bombs in yard; would detonate them and kill everyone if police responded.
17	5/20/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller had four bombs outside retail store.

1	18	6/15/2021	Kayenta, Arizona	Police Department in Cumming, Georgia	Caller killed three people in home and would use pipe bombs and shoot police.
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4 In violation of Title 18, United States Code, Section 1038(a)(1)(A).

5 **COUNT 19**

6 Between on or about April 7, 2021 and June 30, 2021, within the District of Arizona
7 and elsewhere, Defendant JAMES THOMAS ANDREW McCARTY, with the intent to
8 harass and intimidate J.B., used an interactive computer service, electronic communication
9 service, electronic communication system of interstate commerce, and any other facility of
10 facility of interstate commerce, to engage in a course of conduct that caused, attempted to
11 cause, and would be reasonably expected to cause substantial emotional distress to J.B. and
12 an immediate family member. The course of conduct included, but was not limited to:

Date	Location Call Made From	Location Call Made To	Contents of Call
4/7/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller stated he was J.B., XXXX Rustic Trail, possessed a gun, and had killed his wife.
4/16/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller stated he was J.B., XXXX Rustic Trail, had killed his wife, and had bombs planted.
5/10/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller stated he was “Kyle Price,” XXXX Rustic Trail, had killed his wife and would kill responding police.
5/17/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller stated he was B.B. XXXX Rustic Trail, that his dad shot his mom, and that his dad had lit the house on fire.

1	5/20/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller stated he was J.B. and that he had four bombs outside a retail location.
2	6/13/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller stated he was “Graydon,” XXXX Rustic Trail, had shot his mother in the head and would shoot back at police.
3	6/30/2021	Kayenta, Arizona	Police Department in Parma, Ohio	Caller said he was J.B., that his dad shot his mom and that his dad had a rifle.

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In violation of Title 18, United States Code, Sections 2261A(2)(B) and 2262(b).

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COUNTS 20 - 26

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COUNT	DATE	Identifiers used
20	1/24/2021	J.R.R., XXX East Elmwood Drive (South Plainfield, New Jersey).
21	1/25/2021	G.M., student at Westfield High School, Westfield, Indiana
22	1/25/2021	S.K., student at Vinita High School, Vinita, Oklahoma
23	4/7/2021	J.B., XXXX Rustic Trail, Parma, Ohio
24	4/16/2021	J.B., XXXX Rustic Trail, Parma, Ohio
25	5/20/2021	J.B.
26	6/30/2021	J.B., XXXX Rustic Trail, Parma, Ohio

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In violation of Title 18, United States Code, Section 1028A(a)(1).

A TRUE BILL

S/
FOREPERSON OF THE GRAND JURY
Date: November 29, 2022

GARY M. RESTAINO
United States Attorney
District of Arizona

S/
GAYLE L. HELART
BRETT A. DAY
Assistant U.S. Attorneys